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January 18, 2023

**BY ECF**

Judge Pamela K. Chen  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East, 1214 South  
Brooklyn, NY 11201

Re: *SEC v. Xia, et al.*  
Case No. 21-cv-05350-PKC-RER

Dear Judge Chen:

We are the attorneys for Richard Xia a/k/a Yi Xia; and Fleet New York Metropolitan Regional Center LLC, f/k/a Federal New York Metropolitan Regional Center, LLC; and Julia Yue a/k/a Jiqing Yue in this civil action together with co-counsel Mark C. Rifkin, Esq. of Wolf Haldenstein Adler Freeman & Herz LLP. We wish to advise the Court that, in light of the SEC's motion filed last evening in this matter, it would be prudent for my firm to withdraw, without prejudice, its pending motion seeking relief from the Court's December 8, 2022 Order, that was referenced in my January 6, 2023 letter to Your Honor. I assume that I will be having discussions with the SEC counsel and/or Mr. Peeler as this matter proceeds that will affect my decision whether to seek to re-file any such application.

Accordingly, we hereby withdraw the motion dated January 6, 2023, subject to any further directive by the Court.

Thank you for your consideration of this matter.

Respectfully submitted,

*s/Paul F. Millus*

Paul F. Millus

PFM:mr

All Counsel of Record By ECF